

CHAPTER 47 PILOT DIVERSION INITIATIVES

PREAMBLE

This chapter describes the department of human services pilot diversion initiatives. The purpose of these pilot programs is to determine the potential benefits and cost savings of providing immediate, short-term assistance to families in lieu of ongoing assistance under the family investment program (FIP) (applicant diversion), or to meet needs of FIP participants not currently met by existing PROMISE JOBS services (self-sufficiency grants), or to provide supportive services and short-term cash assistance to families in order to prevent the need to return to FIP (post-FIP diversion). Assistance under this chapter is intended to enable families to become or remain self-sufficient by removing barriers to obtaining or retaining employment.

DIVISION I PILOT FIP-APPLICANT DIVERSION PROGRAM

PREAMBLE

The pilot FIP-applicant diversion program provides a voluntary alternative to ongoing cash assistance to families through the family investment program (FIP) as provided under 441—Chapters 40 and 41. The purpose of the pilot FIP-applicant diversion program is to provide immediate, short-term assistance to a family in lieu of ongoing FIP cash assistance. Assistance under this division may postpone or prevent the need to apply for FIP.

441—47.1(239B) Definitions.

“Approved pilot project” means a pilot proposal meeting the conditions in the request for application or request for renewal that was reviewed, approved and funded by the division administrator. Each approved pilot project shall have a local plan, as described at rule 441—47.6(239B), approved by the division administrator. The project shall be limited to families in a specific geographic area detailed in the local plan.

“Candidate” means anyone expressing an interest in the pilot FIP-applicant diversion program, or identified by a county office having an approved pilot project as likely to meet the criteria for participating in the project, and who is working with the county office to enroll in the program.

“Cash value” means FIP-applicant diversion assistance having direct value to the participant, through cash payment, voucher, or vendor payment. Examples of assistance without direct cash value are mentoring and case management.

“County office” means the county office of the department of human services.

“Department” means the Iowa department of human services.

“Director” means the director of the department.

“Diversion assistance” means any type of assistance provided under this division as described in subrule 47.4(1).

“Division administrator” means the administrator of the division of economic assistance of the department, or the administrator’s designee.

“Family” means *“assistance unit”* as defined at rule 441—40.21(239B).

“Family investment program” or *“FIP”* means the cash grant program provided by 441—Chapters 40 and 41, designed to sustain Iowa families.

“Fiscal agent” means that entity provided funds under an agreement with a county office having an approved pilot project. The fiscal agent shall, at the direction of the county office, issue payments for assistance under this division and maintain accounting records as specified by the agreement.

“Human services area administrator (HSAA)” means the person responsible for delivery of income maintenance and social services programs for a county or multicounty area.

“Immediate, short-term assistance” means assistance provided under this division shall be authorized in less time than it would take to process and issue FIP under normal processing standards described at rule 441—40.25(239B), and that it shall not occur on a regular or frequent basis. Participants may receive assistance under this division more than once under the duration of the pilot, but shall not receive assistance so often as to be considered receiving ongoing assistance as under FIP. Time frames and frequency of assistance shall be detailed in the local plan.

“Local plan” means the written policies and procedures and other components for administering an approved pilot project as described at rule 441—47.6(239B).

“Participant” means anyone receiving assistance under this division.

“Pilot proposal” means the project description submitted by the county office prepared within the parameters of a request for application or request for renewal issued by the division administrator. The division administrator shall review, approve, modify and approve, or deny the proposal.

“Request for application” means a request issued by the division administrator to county offices for proposals to implement a pilot project under this division. The request shall provide background information about the purpose, authorization and funding for the pilot FIP-applicant diversion program, as well as general parameters, specific criteria and time frames for submitting a proposal.

“Request for renewal” means a request issued by the division administrator to county offices for proposals to renew an approved pilot project under this division. The request shall provide general parameters, specific criteria and time frames for submitting a renewal proposal.

“Support services” means FIP-applicant diversion assistance having no direct cash value for the participant. Services include, but are not limited to, case management, mentoring, job coaching, skill building, and intervention.

“Temporary assistance for needy families” or *“TANF”* means the program for granting benefits to eligible groups under Title IV-A of the federal Social Security Act as amended by Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. This replaced the aid to families with dependent children program.

“Written funding agreement” means that agreement between a county office having an approved pilot project and a fiscal agent. The agreement shall specify the responsibilities of each party to the agreement as well as indicate the amount of FIP-applicant diversion funds allocated to the approved pilot project. The written funding agreement shall be signed by authorized representatives of the department and the fiscal agent.

441—47.2(239B) Availability of program. The pilot FIP-applicant diversion program shall be available only in those counties or other specified areas of the state having an approved pilot project as defined at rule 441—47.1(239B). FIP-applicant diversion assistance shall be provided to those families determined to be likely candidates for success in the program, as determined by the local project staff.

441—47.3(239B) General criteria. Pilot FIP-applicant diversion program candidates shall be otherwise eligible for FIP, as set forth at subrule 47.5(1). Participation in the pilot FIP-applicant diversion program is voluntary and shall be based on an informed decision by the family. Further, candidates must have identifiable barriers to obtaining or retaining employment that can be substantially addressed through the immediate, short-term assistance offered by this division, and according to the local plan.

441—47.4(239B) Assistance available. Diversion assistance shall assist participant families to obtain or retain employment. The means of providing the diversion assistance for each project shall be detailed in the local plans.

47.4(1) *Types of assistance.* Diversion assistance shall be granted through any or all of the following: cash payments, vendor payments, voucher payments, or support services. Specific types of assistance administered by each pilot shall be set forth in the local plans.

47.4(2) *Maximum value of assistance.* For assistance having a cash value to the family, each pilot shall establish a maximum amount each family may receive during the pilot period. Specific maximum values of assistance administered by each pilot shall be set forth in the local plans.

47.4(3) *Frequency of assistance.* Diversion assistance is intended to be of an immediate and short-term nature. While a family may be a candidate more than once, this program shall not be considered ongoing assistance. The frequency of assistance for each approved pilot project shall be set forth in the local plans.

47.4(4) *Supplanting.* FIP-applicant diversion funds shall not be used for services already available through local resources at no cost to the family or to the department. In counties that operate both pilot FIP-applicant and post-FIP diversion projects, cash value assistance shall be paid from the post-FIP diversion funds in the initial 12 months following the effective date of FIP cancellation, if the pilot post-FIP diversion project permits cash value assistance payments, and the candidate is otherwise eligible for post-FIP diversion assistance.

441—47.5(239B) Relationship to the family investment program and TANF.

47.5(1) *Otherwise FIP eligible.* Candidates cannot receive both FIP and assistance under this division in the same calendar month. Candidates for the pilot FIP-applicant diversion program must meet the following FIP eligibility criteria and any other FIP eligibility criteria found in 441—Chapters 40 and 41 included in the local plan of an approved pilot project:

- a. Requirements related to a child's age and living with a specified relative as described at rules 441—41.21(239B) and 441—41.22(239B).
- b. Social security number requirements described at 441—subrule 41.22(13).
- c. Residency requirements described at 441—subrule 41.23(1).
- d. Citizenship and alien requirements described at 441—subrules 41.23(4) and 41.23(5).
- e. Income requirements described at rule 441—41.27(239B). Candidates must pass the 185 percent income test to be considered. Pilot projects may incorporate more restrictive criteria in their local plans, consistent with other income tests for FIP at rule 441—41.27(239B).
- f. Family members cannot be in the six-month period of ineligibility applied with a subsequent limited benefit plan as described at 441—subrule 41.24(8).
- g. Family members in the indefinite period of ineligibility applied with the limited benefit plan as described at 441—subrule 41.24(8) may receive support services only.

47.5(2) *Offer to participate declined.* Candidates for the pilot FIP-applicant diversion program shall not be denied FIP on the basis that they do not want to participate in the pilot program.

47.5(3) *Period of FIP ineligibility.* Receipt of diversion assistance having a cash value to the family shall result in a period of ineligibility for FIP for that family, including new members moving into the household. Local projects shall have flexibility in determining the period of ineligibility except that the period shall not exceed the number of calendar days arrived at by using the following formula:

$$\text{diversion amount} \div \frac{(\text{payment standard for the family size})}{30} \times 2$$

For example, if the diversion assistance amount is \$500, and the payment standard for the family of three is \$426, the period of ineligibility cannot exceed 70 days.

$$\$500 \div \frac{(\$426)}{30} \times 2$$

The period of ineligibility shall include the seven-day wait period as described at rule 441—40.26(239B), when the household applies at least seven days prior to the end of the period of ineligibility. However, there is no eligibility before the period ends, regardless of application date. If the household does not file an application until after the period of ineligibility, the requirements for effective date of eligibility at 441—40.26(239B) apply.

The specific period of ineligibility administered by each pilot shall be set forth in the local plans. These periods of ineligibility are applicable statewide, not limited to the local project area providing the assistance. The period of ineligibility shall not apply to diversion family members moving to other families.

47.5(4) *Exempt as income.* Diversion assistance shall be exempt as income in determining FIP eligibility as described at 441—paragraph 41.27(7) “*ai.*”

47.5(5) *Exempt from TANF provisions.* Unless determined otherwise by the U.S. Department of Health and Human Services, receipt of diversion assistance shall not subject the family to the following TANF restrictions:

- a. The five-year (60-month) lifetime limit.
- b. Work participation rates.
- c. Cooperation with child support recovery.

441—47.6(239B) Local plans.

47.6(1) *Written policies and procedures.* Each approved pilot project shall have and maintain written policies and procedures for the project approved by the division administrator. Copies of the plan shall be filed in the county office and with the division administrator. The written policies and procedures shall be available to the public. At a minimum, these policies and procedures shall contain or address the following:

- a. What types of services or assistance will be provided, e.g., car repair, licensing fees, and referral to other resources.
- b. How determinations will be made that the service or assistance provided meets the program’s objective of helping the family obtain or retain employment.
- c. How assistance will be provided, e.g., cash payments, vouchers, vendor payments, and procedures for issuing payments.
- d. The period of ineligibility for FIP.
- e. The maximum (and minimum, if any) values of payments and services.
- f. The frequency of receiving assistance.
- g. How families most likely to benefit from the program are identified.
- h. How families can enroll in the program as a voluntary alternative to FIP. If pilot diversion candidates complete a FIP application, the plan shall include procedures for withdrawing the FIP application. Any forms required to be completed by the family shall be identified by name and form number in the plan.
- i. How families will be informed of the availability of the program, its voluntary nature, and how the program works, including periods of ineligibility for FIP.
- j. How county offices administering a pilot project will maintain, provide to pilot participants, and otherwise make available, written policies and procedures describing the project.
- k. The process used to determine families are “otherwise eligible” for FIP, e.g., having potential project participants complete a standard FIP application.

- l.* How barriers related to employment are identified.
- m.* How inquiries will be responded to and assistance provided timely to address barriers to obtaining or retaining employment. The local plans shall specify time frames for taking action steps in administering the pilot project.

47.6(2) *Other components.* The local plan shall also describe or identify:

- a.* How staff will be trained to use the program.
- b.* The anticipated results for families in the pilot project following the receipt of diversion assistance.
- c.* The methods for evaluation.
- d.* The scope of evaluation (e.g., what other programs may be included).
- e.* How measurable results shall be determined.
- f.* Total funds received and available.
- g.* Any allocation for direct cash payments to families.
- h.* Any allocation for vouchers.
- i.* Any allocation for vendor payments.
- j.* Any allocation for services.
- k.* Any allocation for staff costs.
- l.* Any allocation for evaluation.
- m.* Any allocation for other expenses.

441—47.7(239B) Notification and appeals.

47.7(1) *Notification.* All candidate households or households participating in the pilot diversion program under this division shall receive adequate written notice as described at 441—paragraph 7.7(1) “*b*,” using Form 470-0486, Notice of Decision. The written notice shall:

- a.* Advise whether assistance under this division shall be provided.
- b.* Give the reason for the decision, if assistance shall not be provided.
- c.* Give the type, value (if applicable), and frequency of assistance as described at rule 441—47.4(239B), if assistance shall be provided.
- d.* Give any period of ineligibility for FIP based on the written policies and procedures of the pilot as required by subrule 47.5(3) and described at rule 441—47.6(239B), if assistance shall be provided.
- e.* Cite this division as legal authority for the decision.
- f.* Advise the household of its appeal rights under 441—Chapter 7 and this division.

47.7(2) *Decisions regarding assistance.* All decisions regarding assistance available under this division shall be in accordance with the rules in this division and the written policies and procedures of the approved project as required by rule 441—47.6(239B).

47.7(3) *Appealable actions.* Decisions made by the department affecting clients may be appealed pursuant to 441—Chapter 7. All sections of the local plan applicable to an appeal shall be provided as part of the appeal summary.

47.7(4) *Nonappealable actions.* Households shall not be entitled to an appeal hearing if the sole basis for denying, terminating or limiting assistance under this division is that diversion funds for the approved pilot project have been reduced, exhausted, eliminated or otherwise encumbered.

441—47.8(239B) Funding, rates and method of payment.

47.8(1) *Funded amounts.* The division administrator shall determine the amounts allocated to each approved pilot project based on available funding and the amount requested by each project. The division administrator may reallocate funds between approved pilot projects as necessary to meet the objectives of the program.

47.8(2) *Written funding agreements.* Each approved pilot project shall enter into a written funding agreement with a third party to act as a fiscal agent to disburse money for purposes of providing assistance as described at subrule 47.4(1) and specified by the local plan. The written funding agreement shall stipulate:

- a. The department shall be responsible for authorizing individual payments.
- b. The fiscal agent shall be responsible for issuing payments.
- c. Both the department and the fiscal agent shall keep and reconcile records for accountability and audit purposes.
- d. All agreements shall be signed by the fiscal agent and the human services area administrator. Any agreements for \$25,000 or more shall also be signed by the director. Other signatures may be required at the discretion of the division administrator.
- e. The time frames for the fiscal agent to process payments.
- f. Any other responsibilities of the department and the fiscal agent.
- g. Provisions customarily required for agreements or contracts entered into by a state agency.

47.8(3) *Rate setting for services not having a cash value.* Rates for diversion assistance in the form of services not having a cash value shall be established in accordance with the following procedures:

- a. Rates for diversion assistance services shall be established on an individual basis by the human services area administrator (HSAA) or designee.
- b. The HSAA or designee shall evaluate proposed payment rates in approving diversion assistance services. Rates approved for providers with a purchase of service contract or Medicaid agreement with the department shall be similar to payment rates for comparable services provided through the purchase of service or Medicaid agreements. Rates for other types of services or supports shall be comparable to prevailing community standards.
- c. Payment rates approved by a HSAA or designee for diversion assistance services on behalf of a family shall remain in effect for the time period authorized unless approval for modification is granted by the HSAA or designee.

47.8(4) *Payment and billing.*

- a. The approved pilot project, in accordance with the local plan, shall notify the fiscal agent when diversion assistance payments are approved. This notification shall include a copy of the Authorization for the Department to Release Information, Form 470-2115, signed by the pilot FIP-applicant diversion participant. It shall also include the payee's name, mailing address and authorized amount of payment.
- b. The fiscal agent shall issue payments within the time frames set forth in the written agreement.
- c. The approved pilot project and the fiscal agent shall periodically reconcile their records.

441—47.9(239B) Termination of pilot projects. The division administrator may immediately terminate an approved pilot project if:

1. The project is not fulfilling the conditions of its pilot proposal.
2. The project is at the conclusion of the authorized approval period, unless a request for renewal has been submitted and approved.
3. Funding is reduced, exhausted, eliminated or otherwise encumbered.

441—47.10(239B) Records and reports.

47.10(1) Case records. The provision of diversion assistance shall be documented by the department in the participant's income maintenance case record.

47.10(2) Records retention. All persons who contract with the county office shall maintain all records related to the program for five years. They shall allow federal or state officials access to all records upon request.

47.10(3) Reports.

a. County offices having approved pilot projects shall provide reports as requested by the division administrator in a manner, format and frequency specified by the administrator.

b. County offices shall be responsible for maintaining records sufficient for audit and tracking purposes.

441—47.11(239B) Renewal of existing approved pilot projects. Contingent on continued authorization and funding, the division administrator may renew existing approved pilot projects. Renewal proposals shall be prepared and submitted within the parameters set forth in the request for renewal issued by the division administrator.

These rules are intended to implement Iowa Code section 239B.11.

441—47.12 to 47.20 Reserved.

DIVISION II

FAMILY SELF-SUFFICIENCY GRANTS PROGRAM

PREAMBLE

These rules define and structure the family self-sufficiency grants program provided through the PROMISE JOBS service delivery regions. The purpose of the program is to provide immediate and short-term assistance to PROMISE JOBS participant families which will remove barriers related to obtaining or retaining employment. Removing the barriers to self-sufficiency might reduce the length of time a family is dependent on the family investment program (FIP). Family self-sufficiency grants shall be available for payment to families or on behalf of specific families.

441—47.21(239B) Definitions.

"Candidate" means anyone expressing an interest in the family self-sufficiency grants program.

"Department" means the Iowa department of human services.

"Department division administrator" means the administrator of the department of human services division of economic assistance, or the administrator's designee.

"Department of workforce development" means the agency that develops and administers employment, placement and training services in Iowa, often referred to as Iowa workforce development, or IWD.

"Family" means "assistance unit" as defined at 441—40.21(239B).

"Family investment program" or *"FIP"* means the cash grant program provided by 441—Chapters 40 and 41, designed to sustain Iowa families.

“Family self-sufficiency grants” means the payments made to specific PROMISE JOBS participants, to vendors on behalf of specific PROMISE JOBS participants, or for services to specific PROMISE JOBS participants.

“Immediate, short-term assistance” means assistance provided under this division shall be authorized upon determination of need and that it shall not occur on a regular basis.

“Iowa workforce development (IWD) division administrator” means the administrator of the department of workforce development’s division of workforce development center administration, or the administrator’s designee.

“Local plan for family self-sufficiency grants” means the written policies and procedures for administering the grants for families as set forth in the plan developed by the PROMISE JOBS service delivery region as described in rule 441—47.26(239B). The local plan shall be approved by the Iowa workforce development division administrator.

“Participant” means anyone receiving assistance under this division.

“PROMISE JOBS contract” means the agreement between the department and Iowa workforce development regarding delivery of PROMISE JOBS services.

“PROMISE JOBS participant” means any person receiving services through PROMISE JOBS. A PROMISE JOBS participant must be a member of an eligible FIP household.

“PROMISE JOBS service delivery regions” means the PROMISE JOBS service delivery entities which correspond to the 15 Iowa workforce development regions.

“Promoting independence and self-sufficiency through employment job opportunities and basic skills (PROMISE JOBS) programs” means the department’s work and training program as described in 441—Chapter 93, Division II.

441—47.22(239B) Availability of the family self-sufficiency grants program. The family self-sufficiency grants program shall be available statewide in each of the 15 PROMISE JOBS service delivery regions. Under the PROMISE JOBS contract, Iowa workforce development (IWD) shall allocate the funds available for authorization to each of the service delivery regions based on the allocation standards used for PROMISE JOBS service delivery purposes. The department actually retains the funds which are released through the PROMISE JOBS expense allowance authorization system.

441—47.23(239B) General criteria. Family self-sufficiency grants candidates shall be PROMISE JOBS participants. Participation in the family self-sufficiency grants program is voluntary and shall be based on an informed decision by the family. Further, candidates must have identifiable barriers to obtaining or retaining employment that can be substantially addressed through the assistance offered by family self-sufficiency grants.

441—47.24(239B) Assistance available in family self-sufficiency grants. Family self-sufficiency grants shall be authorized for removing an identified barrier to self-sufficiency when it can be reasonably anticipated that the assistance will enable participant families to retain employment or obtain employment in the two full calendar months following the date of authorization of payment. For example, if a payment is authorized on August 20, it should be anticipated that the participant can find employment in September or October.

47.24(1) Employment does not occur. If employment does not occur in the anticipated two-calendar-month period or if the participant loses employment in spite of the self-sufficiency grant, no penalty is incurred and no overpayment has occurred.

47.24(2) *Types of assistance.* Family self-sufficiency grants are PROMISE JOBS benefits and shall be authorized through the PROMISE JOBS expense allowance system. The PROMISE JOBS service delivery region shall have discretion to determine those barriers to self-sufficiency which can be considered for family self-sufficiency grants such as, but not limited to, auto maintenance or repair, licensing fees, child care, and referral to other resources, including those necessary to address questions of domestic violence. Warrants may be issued to the participants, to a vendor, or for support services provided to the family. The PROMISE JOBS service delivery region shall have discretion in determining method of payment in each case, based on circumstances and needs of the family.

47.24(3) *Limit on assistance.* The total payment limit per family is \$1,000 per year. A year for a family shall be the 12 fiscal months following the date of authorization of the initial payment for the family. A fiscal month begins and ends in different calendar months.

47.24(4) *Frequency of assistance.* Family self-sufficiency grants are intended to provide immediate and short-term assistance and must meet the criteria in this rule. While a family may be a candidate more than once and may receive payments in consecutive months in some circumstances, payments shall not be established as regular or ongoing.

47.24(5) *Supplanting.* Family self-sufficiency grants shall not be used for services already available through department, PROMISE JOBS, or other local resources at no cost.

47.24(6) *Relationship to the family investment agreement.* Family self-sufficiency grants are separate from the PROMISE JOBS family investment agreement process. While the family investment agreement must be honored at all times and renegotiated and amended if family circumstances require it, no family shall be considered to be choosing the limited benefit plan if the family chooses not to participate in the family self-sufficiency grant program.

441—47.25(239B) Application, notification, and appeals.

47.25(1) *Application elements.* Each PROMISE JOBS service delivery region shall establish an application form to be completed by the PROMISE JOBS participant and the PROMISE JOBS worker when the participant asks to be a candidate for a family self-sufficiency grant. The application form shall contain the following elements:

- a.* An explanation of family self-sufficiency grants and the expectations of the program.
- b.* Identification of the family and the person representing the family.
- c.* A clear description of the barrier to self-sufficiency to be considered.
- d.* Demonstration of how removing the barrier is related to retaining or obtaining employment, meeting the criteria from rule 441—47.24(239B).
- e.* Demonstration of why other department, PROMISE JOBS, or community resources cannot deal with the barrier to self-sufficiency.
- f.* Anticipated cost of removing the barrier to self-sufficiency.

47.25(2) *Notification process.* PROMISE JOBS shall use Form SS-1104-0, Notice of Decision: Services, to notify the candidate of the PROMISE JOBS decision regarding the family self-sufficiency grant. Decisions shall be in accordance with policies of this division and the local plan.

- a.* On approval, the form shall indicate the amount of the benefit that will be issued to the candidate or paid to a vendor, or the service that will be provided to the family.
- b.* On denial, the form shall indicate the reason for denial.

47.25(3) *Appealable actions.* The PROMISE JOBS decisions on family self-sufficiency grants may be appealed pursuant to 441—Chapter 7. Copies of the local plan as described at rule 441—47.26(239B) shall be included with the appeal summary.

47.25(4) *Nonappealable actions.* PROMISE JOBS participants shall not be entitled to an appeal hearing if the sole basis for denying, terminating or limiting assistance from family self-sufficiency grants is that self-sufficiency grant funds have been reduced, exhausted, eliminated, or otherwise encumbered.

441—47.26(239B) *Approved local plans for family self-sufficiency grants.* Each PROMISE JOBS service delivery region shall create and provide to IWD their written policies and procedures for administering family self-sufficiency grants. The plan shall be reviewed for required elements and quality of service to ensure that it meets the purpose of the program and approved by the department division administrator and the IWD division administrator. The written policies and procedures shall be available to the public at county offices, PROMISE JOBS offices, and at IWD. At a minimum, these policies and procedures shall contain or address the following:

47.26(1) *A plan overview.* The plan overview shall contain a general description detailing:

- a. Any types of services or assistance which will be excluded from consideration for family self-sufficiency grants in the PROMISE JOBS service delivery region.
- b. How determinations will be made that the service or assistance requested meets the program's objective of helping the family retain employment or obtain employment.
- c. How determinations will be made that the proposed family self-sufficiency grant is not supplanting as required at subrule 47.24(5).
- d. Services established and any maximum (and minimum, if any) values of payments of the services established by the PROMISE JOBS service delivery region.
- e. Verification procedures or standards for documenting barriers, using written notification policies found at rule 441—93.137(239B).
- f. The design of the application form.
- g. Verification procedures or standards for documenting employment attempts if not already tracked by PROMISE JOBS procedures, using policies found at 441—subrules 93.135(3) and 93.135(4) and at rule 441—93.137(239B).
- h. How applications will be processed timely to address barriers to obtaining or retaining employment.
- i. Follow-up procedures on participant effort.
- j. Procedures for tracking of family self-sufficiency grant authorizations in order to stay within service delivery region allocation.
- k. How staff will be trained to administer the program.

47.26(2) *Intake and eligibility determination.* The policies and procedures shall describe:

- a. How families most likely to benefit from self-sufficiency grant assistance are identified.
- b. How families can apply for self-sufficiency grant assistance.
- c. How families will be informed of the availability of self-sufficiency grant assistance, its voluntary nature, and how the program works.

d. How county offices and PROMISE JOBS offices will maintain, provide to pilot participants, and otherwise make available, written policies and procedures describing the project.

e. Which PROMISE JOBS staff shall make decisions regarding identification of barriers and candidate eligibility for payment and what sign-off or approval is required before a payment is authorized.

47.26(3) *A plan for evaluation of family self-sufficiency grants.* The evaluation plan shall:

a. Describe tracking procedures.

b. Describe the plan for evaluation (e.g., what elements will be used to create significant data regarding outcomes).

c. Describe how measurable results will be determined.

d. Identify any support needed to conduct an evaluation (e.g., what assistance is needed from department and IWD).

e. Describe which aspects of the project were successful and which were not.

These rules are intended to implement Iowa Code section 239B.11.

441—47.27 to 47.40 Reserved.

DIVISION III

PILOT COMMUNITY SELF-SUFFICIENCY GRANTS PROGRAM

PREAMBLE

These rules define and structure the pilot community self-sufficiency grants program. Community self-sufficiency grants shall establish pilot projects to identify and remove systemic or community barriers to self-sufficiency for targeted PROMISE JOBS participants in a geographic area. removing barriers to self-sufficiency might reduce the length of time a family is dependent on the family investment program.

County department offices and PROMISE JOBS service delivery regions must apply jointly. Either entity can administer pilot projects; however, the department and PROMISE JOBS may work in conjunction with other local resources. This program gives local projects flexibility to better address systemic or community barriers to self-sufficiency for PROMISE JOBS participants.

441—47.41(239B) Definitions.

“Approved pilot project” means a pilot proposal for a community self-sufficiency grant meeting the conditions in the request for application that has been reviewed and approved by the department division administrator and IWD division administrator and funded through the PROMISE JOBS contract. The project shall be designed to serve families in a specific geographic area, within the PROMISE JOBS service delivery regions determined by IWD, and detailed in the local plan defined in this division.

“Candidate” means anyone identified by a county office having an approved community self-sufficiency grants pilot project as likely to meet the criteria for participating in the project, and who is working with the county office, PROMISE JOBS office, or other entity, to enroll in the program.

“Community self-sufficiency grants” means the joint department and PROMISE JOBS pilot projects to identify and remove systemic or community barriers to self-sufficiency for PROMISE JOBS participants.

“Department” means the Iowa department of human services.

“Department division administrator” means the administrator of the department of human services division of economic assistance, or the administrator’s designee.

“Department of workforce development” means the agency that develops and administers employment, placement and training services in Iowa; often referred to as Iowa workforce development, or IWD.

“Family” means “assistance unit” as defined at rule 441—40.21(239B).

“Family investment program” or *“FIP”* means the cash grant program provided by 441—Chapters 40 and 41, designed to sustain Iowa families.

“Iowa workforce development (IWD) division administrator” means the administrator of the department of workforce development’s division of workforce development center administration, or the administrator’s designee.

“Local plan for community self-sufficiency grants” means the written policies and procedures for identifying and removing community barriers to self-sufficiency as described in rule 441—47.45(239B).

“Participant” means anyone receiving assistance under this division.

“Pilot proposal” means the community self-sufficiency grants project description submitted jointly by the department county office or offices and the PROMISE JOBS service delivery region prepared within the parameters of a request for application issued by the department division administrator. The department and IWD division administrators shall review, approve, modify and approve, or deny the proposal for a community self-sufficiency grant.

“PROMISE JOBS contract” means the agreement between the department and Iowa workforce development (IWD) regarding delivery of PROMISE JOBS services.

“PROMISE JOBS participant” means any person receiving services through PROMISE JOBS. A PROMISE JOBS participant must be a member of an eligible FIP household.

“Promoting independence and self-sufficiency through employment job opportunities and basic skills (PROMISE JOBS) programs” means the department’s training program as described in 441—Chapter 93, Division II.

“PROMISE JOBS service delivery regions” means the PROMISE JOBS service delivery entities which correspond to the 15 Iowa workforce development regions.

“Request for application” means a request issued by the department division administrator to county offices and PROMISE JOBS service delivery regions for proposals to implement a pilot project under this division. The request shall provide background information about the purpose, authorization and funding for the community self-sufficiency grants program, as well as general parameters, specific criteria and time frames for submitting a proposal.

“Request for renewal” means a request issued by the department division administrator to county and PROMISE JOBS offices for proposals to renew an approved pilot project under this division. The request shall provide general parameters, specific criteria, and time frames for submitting a renewal proposal.

“Systemic or community barriers” means obstacles to obtaining or retaining employment which affect multiple families. These barriers result from conditions in the geographic area served by the approved pilot project.

441—47.42(239B) Availability of the community self-sufficiency grants program. The community self-sufficiency grants program shall be available only in those counties, PROMISE JOBS service delivery regions, or other designated areas of the state having an approved pilot project as defined at rule 441—47.41(239B). Under the PROMISE JOBS contract, IWD shall make the funds available through the PROMISE JOBS service delivery regions which are participating in an approved pilot project. This enables the PROMISE JOBS entity to become the fiscal agent for the approved pilot project. It does not restrict the ability of the department and PROMISE JOBS partners in an approved pilot project to assign responsibility for administration of the program to the department or to another entity as part of a local collaboration effort.

441—47.43(239B) General criteria. Community self-sufficiency grants candidates shall be PROMISE JOBS participants. Participation in the community self-sufficiency grants program is voluntary and shall be based on an informed decision by the family. Further, candidates must have identifiable barriers to obtaining or retaining employment that can be substantially addressed through the assistance offered through the services developed and provided according to the local plan for community self-sufficiency grants.

441—47.44(239B) Assistance available under community self-sufficiency grants. Pilot projects developed under community self-sufficiency grants shall be designed to identify and remove systemic or community barriers to self-sufficiency, helping targeted PROMISE JOBS participant families to obtain or retain employment. The means of identifying and addressing the community or systemic barriers to self-sufficiency for each project shall be detailed in the local plans.

47.44(1) Types of assistance. Pilot projects developed under community self-sufficiency grants shall be designed to identify and address community barriers to self-sufficiency for FIP participants such as, but not limited to, communitywide or community-specific transportation needs, unusual child care needs not addressed by existing child care programs such as sick-bay child care or shift child care, parent or other relative care needs, language barrier programs, meeting special employer needs, pre-work skills training that is not available through PROMISE JOBS, economic development-related community needs, or community needs for work-based learning projects. Specific types of barriers to be addressed by each pilot shall be set forth in the joint plans as described at rule 441—47.45(239B).

47.44(2) Supplanting. Community self-sufficiency grants shall not be used for services already available through department, PROMISE JOBS, or other local resources at no cost.

441—47.45(239B) Approved pilot project plans. Each approved community self-sufficiency grant pilot project shall have and maintain written policies and procedures for the project in the project department county offices, PROMISE JOBS offices, and offices of any other entities involved in the project. The plan shall be reviewed for required elements and quality of service to ensure that it meets the purpose of the program and approved by the department division administrator and the IWD division administrator. At a minimum, those policies and procedures shall contain or address the following:

47.45(1) A plan overview. The plan overview shall contain a general description detailing:

- a. What types of services or assistance will be available under the community self-sufficiency grant project.
- b. How determination will be made that the service or assistance provided meets the program's objective of helping FIP participant families obtain or retain employment.
- c. How determination will be made that the proposed community self-sufficiency grant project is not supplanting as required at subrule 47.44(2).
- d. How assistance will be provided.
- e. Any established maximum (and minimum, if any) for availability of services to specific families if limits are necessary.
- f. The frequency of receiving assistance under the project, if limits are necessary.
- g. How staff will be trained to use the program.
- h. Anticipated results for families in the pilot following development of the project design.

47.45(2) *Intake and eligibility determination.* The policies and procedures shall describe how:

- a. Families most likely to benefit from the community self-sufficiency grant project are identified.
- b. Families will access the project services.
- c. Families will be informed of the availability of the project services, its voluntary nature, and how the program works.
- d. Department county offices and PROMISE JOBS offices administering a pilot project will maintain, provide to pilot participants, and otherwise make available, written policies and procedures describing the project.

47.45(3) *A plan for evaluation of the project.* The evaluation plan shall:

- a. Describe methods for evaluation.
- b. Describe scope of evaluation (e.g., what other programs may be included).
- c. Describe how measurable results will be determined.
- d. Identify any support needed to conduct an evaluation.
- e. Describe which aspects of the project were successful and which were not.

47.45(4) *Budget.* The budget shall contain the:

- a. Local non-PROMISE JOBS funds to be used in the pilot project.
- b. Community self-sufficiency grant funds requested.
- c. Allocation for direct cash payments to families.
- d. Allocation for vouchers.
- e. Allocation for vendor payments.
- f. Allocation for services.
- g. Allocation for staff costs.
- h. Allocation for evaluation.
- i. Allocation for other expenses.

441—47.46(239B) Notification and appeals for community self-sufficiency grant projects.

47.46(1) *Notification.* If services of the project are available to PROMISE JOBS participants without differentiation, formal notice to the participant of approval or denial is not required. If the services of the project involve selecting certain participants to receive services while others with the same need are denied services, then all candidate households or households participating in the community self-sufficiency grant project shall receive written notice advising the candidate households:

- a. Whether assistance under the community self-sufficiency grant shall be provided.
- b. If assistance shall not be provided, the reason for this decision.
- c. If assistance shall be provided, the type, value (if applicable), and frequency of assistance as described in the approved pilot project's plan.
- d. Of their appeal rights under 441—Chapter 7 and this rule.

47.46(2) *Decisions regarding assistance.* All decisions regarding assistance available under a community self-sufficiency grant shall be in accordance with the rules in this chapter and the written policies and procedures of the approved project as required by rule 441—47.45(239B).

47.46(3) *Appealable actions.* Decisions affecting participants made by the department or PROMISE JOBS may be appealed pursuant to 441—Chapter 7. Copies of the local plan shall be included with the appeal summary.

47.46(4) *Nonappealable actions.* Households shall not be entitled to an appeal hearing if the sole basis for denying, terminating or limiting assistance under a community self-sufficiency grant is that self-sufficiency grant funds for the approved pilot project have been exhausted or are otherwise encumbered.

441—47.47(239B) Termination of pilot projects. The department division administrator, in conjunction with IWD, may immediately terminate an approved pilot project:

1. That is not fulfilling the conditions of its pilot proposal.
2. At the conclusion of the authorized approval period, unless a new pilot proposal application has been submitted and approved.
3. When funding is reduced, exhausted, eliminated or otherwise encumbered.

441—47.48(239B) Records and reports.

47.48(1) *Case records.* The provision of services for a participant under the community self-sufficiency grant shall be documented by the department and PROMISE JOBS in each participant's appropriate case record.

47.48(2) *Reports.*

a. PROMISE JOBS offices having approved pilot projects shall provide reports as requested by the department and IWD division administrators in a manner, format and frequency specified by the administrators.

b. PROMISE JOBS offices shall be responsible for maintaining records sufficient for audit and tracking purposes.

441—47.49(239B) Renewal of existing approved pilot projects. Contingent on continued authorization and funding, the department division administrator may renew existing approved pilot projects. Renewal proposals shall be prepared and submitted within the parameters set forth in the request for renewal issued by the department division administrator.

These rules are intended to implement Iowa Code section 239B.11.

441—47.50 to 47.60 Reserved.

DIVISION IV PILOT POST-FIP DIVERSION PROGRAM

PREAMBLE

These rules define and structure the department of human services pilot post-family investment program (FIP) diversion program. The purpose of this pilot program is to provide assistance to stabilize employment of families leaving FIP and reduce the likelihood of the families' returning to FIP. This assistance may be in the form of support services to help maintain or improve employment status or may be cash value assistance used to meet some employment-related, short-term immediate need or barrier. Post-FIP diversion assistance shall be provided (begin and end) no later than 12 months from the effective date of the FIP cancellation. The department shall establish post-FIP diversion programs in a limited number of pilot projects. The program gives local projects considerable flexibility and authority to provide a range of assistance to help families stay off FIP.

441—47.61(239B) Definitions.

“Approved pilot project” means a pilot proposal meeting the conditions in the request for application or request for renewal that was reviewed, approved and funded by the division administrator. Each approved pilot project shall have a local plan as described at rule 441—47.67(239B) approved by the division administrator. The project shall be limited to families in a specific geographic area detailed in the local plan. At least one approved pilot project shall demonstrate substantial involvement by one or more community entities in developing, implementing, and operating the project.

“Candidate” means anyone meeting the general criteria specified at rule 441—47.65(239B) and identified during the assessment process described at subrule 47.65(1) as likely to benefit from post-FIP diversion assistance or anyone expressing an interest in the pilot post-FIP diversion program.

“Cash value” means post-FIP diversion assistance having direct value to the participant, through cash payment, voucher or vendor payment. Examples of assistance without direct cash value are mentoring and case management.

“Community entity” means any local public, private or nonprofit organization, agency, group or business that works in the employment, training or economic development arenas (including financial resources agencies) that may be involved in the development, implementation or operation of a pilot proposal.

“County office” means the county office of the department of human services.

“Department” means the Iowa department of human services.

“Director” means the director of the department of human services.

“Division administrator” means the administrator of the department of human services division of economic assistance, or the administrator’s designee.

“Family” means “assistance unit” as defined at rule 441—40.21(239B).

“Family investment program” or *“FIP”* means the cash grant program provided by 441—Chapters 40 and 41, designed to sustain Iowa families.

“Fiscal agent” means that entity provided funds under an agreement with a county office having an approved pilot project. The fiscal agent shall, as provided by the approved pilot project and local plan, issue payments for assistance under this division and maintain accounting records as specified by the agreement. Fiscal agents shall be used only if an approved pilot project provides that payment for operating the project, including, but not limited to, payment of post-FIP diversion assistance, is done at the local level.

“Human services area administrator” means the person responsible for delivery of income maintenance and social services programs for a county or multicounty area.

“Local plan” means the written policies and procedures and other components described in rule 441—47.67(239B) for administering an approved pilot project.

“Participant” means anyone receiving assistance under this division.

“Pilot proposal” means the project description prepared and submitted within the parameters of a request for application or request for renewal issued by the division administrator. The division administrator shall review, approve, modify and approve, or deny the proposal.

“Post-FIP diversion assistance” means any type of assistance provided under this division as described at rule 441—47.66(239B).

“Project service provider” means any county office or community entity that directly provides support services as defined in this division for participants in a pilot post-FIP diversion project.

“Request for application” means a request issued by the division administrator to county offices for proposals to implement a pilot project under this division. The request shall provide background information about the purpose, authorization and funding for the pilot post-FIP diversion program, as well as general parameters, specific criteria and time frames for submitting a proposal.

“Request for renewal” means a request issued by the division administrator to county offices for proposals to renew an approved pilot project under this division. The request shall provide general parameters, specific criteria and time frames for submitting a renewal proposal.

“Support services” means post-FIP diversion assistance having no direct cash value for the participant. Services include, but are not limited to, case management, mentoring, job coaching, skill building and intervention.

“Temporary assistance for needy families” or *“TANF”* means the program for granting benefits to eligible groups under Title IV-A of the federal Social Security Act as amended by Public Law 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. This replaced the aid to families with dependent children program.

“Written funding agreement” means that agreement between a county office having an approved pilot project and a fiscal agent, and may include one or more community entities involved in the operation of the project. The agreement shall specify the responsibilities of each party to the agreement as well as indicate the amount of post-FIP diversion funds allocated to the approved pilot project. The written funding agreement shall be signed by authorized representatives of the department, the fiscal agent, and any community entity that may be a party to the agreement.

441—47.62(239B) Submitting proposals. Only county offices shall submit pilot proposals. Proposals demonstrating substantial involvement by one or more community entities in the development, implementation or operation of the pilot project will be given a higher preference.

441—47.63(239B) Project administration. The county office shall be responsible for overall project administration. Pilot proposals and local plans shall specify all community entities involved in the operation of the project and the functions and responsibilities of each. The county office may delegate, by contract or other written agreement, any or all of the following functions, completely or in part, to a community entity:

1. Assessment and eligibility determination.
2. Authorization of support services and cash assistance.
3. Provision of support services.
4. Local fiscal agent authorization to make payments.
5. Case plan management.

441—47.64(239B) Availability of program. The pilot post-FIP diversion program shall be available only in those counties or other specified areas of the state having an approved pilot project as defined at rule 441—47.61(239B). Post-FIP diversion assistance shall be provided to those families determined likely to be candidates for success in the program as determined by the criteria and procedures set out in the local plan.

441—47.65(239B) General criteria. The following criteria apply to all pilot post-FIP diversion program candidates. Participation in the pilot post-FIP diversion program is voluntary and shall be based on an informed decision by the family.

47.65(1) Assessment criteria.

- a. Candidate households must have received FIP within the immediate 12 months before being offered or requesting post-FIP diversion assistance.

b. Pilot post-FIP diversion projects shall assess households with earned income immediately upon leaving FIP and may, as an option, assess households anytime within the 12 months immediately following the effective date of FIP cancellation.

c. Projects shall target households deemed to be at risk of losing employment or returning to FIP due to insufficient employment.

d. Post-FIP assistance shall be available only during the 12 months immediately following the effective date of FIP cancellation.

47.65(2) Barriers. Candidates must have barriers to retaining or obtaining more reliable or sustainable employment that can be substantially addressed by the assistance available under this division within the 12 months immediately following the effective date of FIP cancellation. Each project shall identify the types of barriers the project is intended to address in the pilot proposal and local plan.

47.65(3) Employment status. Either some adult member of the candidate household must be currently employed; or some adult member of the candidate household must have lost a job while participating in the pilot post-FIP diversion program.

47.65(4) FIP-related eligibility parameters. Candidates for the pilot post-FIP diversion program must meet the following eligibility criteria, and any other FIP-related eligibility criteria included in the local plan of an approved pilot project:

a. Requirements related to a child's age and living with a specified relative as described at rules 441—41.21(239B) and 441—41.22(239B).

b. Social security number requirements described at 441—subrule 41.22(13).

c. Residency requirements described at 441—subrule 41.23(1).

d. Citizenship and alien requirements described at 441—subrules 41.23(4) and 41.23(5).

e. Family members cannot be in the six-month period of ineligibility applied with a subsequent limited benefit plan as described at 441—subrule 41.24(8).

f. Family members in the indefinite period of ineligibility applied with the limited benefit plan as described at 441—subrule 41.24(8) may receive support services only.

47.65(5) Income eligibility. Household income must not exceed 200 percent of the federal poverty guideline for the household size to be considered. Pilot projects may incorporate more restrictive income criteria in their local plans, consistent with other income tests for FIP at rule 441—41.27(239B). Income exemptions include those specified at rule 441—41.27(239B).

47.65(6) Period of FIP ineligibility. Receipt of post-FIP diversion assistance having a cash value to the family shall result in a period of ineligibility for FIP for that family, including new members moving into the household. Local projects shall have flexibility in determining the period of ineligibility except that the period shall not exceed the number of calendar days arrived at by using the following formula:

$$\text{diversion amount} \div \frac{(\text{payment standard for the family size})}{30} \times 2$$

For example, if the diversion assistance amount is \$500, and the payment standard for the family of three is \$426, the period of ineligibility cannot exceed 70 days.

$$\$500 \div \frac{(\$426)}{30} \times 2$$

The period of ineligibility shall include the seven-day waiting period as described at rule 441—40.26(239B), when the household applies for FIP at least seven days prior to the end of the period of ineligibility. However, there is no eligibility before the period ends, regardless of application date. If the household does not file an application until after the period of ineligibility, the requirements for effective date of eligibility requirements at 441—40.26(239B) apply. The specific period of ineligibility administered by each pilot shall be set forth in the local plan. Periods of ineligibility are applicable statewide, not limited to the local project area providing the assistance. The period of ineligibility shall not apply to diversion family members moving to other families.

47.65(7) *Exempt as income.* Post-FIP diversion assistance shall be exempt as income in determining FIP eligibility as described at 441—paragraph 41.27(7) “ai.”

47.65(8) *Exempt from TANF provisions.* Unless determined otherwise by the U.S. Department of Health and Human Services, receipt of post-FIP diversion assistance shall not subject the family to the following TANF restrictions:

- a. The five-year (60-month) lifetime limit.
- b. Work participation rates.
- c. Cooperation with child support recovery.

47.65(9) *Offer to participate declined.* Candidates for the pilot post-FIP diversion program shall not be denied FIP or any other services provided by the department on the basis that they do not want to participate in the pilot program.

441—47.66(239B) Assistance available. Post-FIP diversion assistance shall assist candidate families to stabilize or enhance their employment situation, or help them obtain more reliable or sustainable employment to reduce or eliminate “at risk” factors which threaten the return of the family to FIP. This assistance should enable participants to increase wages, get promotions and acquire other employment benefits.

47.66(1) *Types of assistance.*

a. *Support services.*

(1) These services include, but are not limited to, skill building, case management, mentoring, job coaching, economic support and reemployment services. Specific types of assistance administered by each pilot shall be set forth in the local plans.

(2) Families in the indefinite period of ineligibility applied with the limited benefit plan as described at 441—subrule 41.24(8) may receive these support services.

(3) Families in the six-month period of ineligibility applied with the subsequent limited benefit plan as described at 441—subrule 41.24(8) shall not receive support services.

b. *Short-term cash value assistance.*

(1) Cash value assistance may be granted through any or all of the following: cash payments, vendor payments, voucher payments. Specific types of assistance administered by each pilot shall be set forth in the local plans. Cash value assistance shall require a period of ineligibility for FIP as described at subrule 47.65(6).

(2) Families in the limited benefit plan as described at 441—subrule 41.24(8) shall not receive cash value assistance.

47.66(2) *Maximum value.* For assistance having a cash value to the family, each pilot shall establish a maximum amount each family may receive during the 12 months following the effective date of FIP cancellation. Specific maximum values of assistance administered by each pilot shall be set forth in the pilot proposals and local plans.

47.66(3) *Frequency and duration.* Families may be candidates more than once during the 12-month period following the effective date of FIP cancellation; however, this program shall not be considered ongoing assistance. The frequency and duration of assistance for each approved pilot project shall be set forth in the local plans. Assistance shall last no longer than 12 months from the effective date of FIP cancellation.

47.66(4) *Supplanting.* Post-FIP diversion program funds shall not be used for support services already available through local resources at no cost to the family, the department or other local service providers. In counties that operate both pilot FIP-applicant and post-FIP diversion projects, cash value assistance shall be paid from the post-FIP diversion funds in the initial 12 months following the effective date of FIP cancellation, if the pilot post-FIP diversion project permits cash value assistance payments, and the candidate is otherwise eligible for post-FIP diversion assistance.

441—47.67(239B) Local plans.

47.67(1) *Main components.* Each approved pilot project shall have and maintain written policies and procedures for the project approved by the division administrator. Copies of the local plan shall be available from the county office and any community entity involved in the assessment and candidate eligibility determination. Copies shall also be filed with the division administrator. At a minimum, those policies and procedures shall contain or address the following:

- a. How families most likely to benefit from the project are identified.
- b. How the project determines which families are at risk of going back on FIP.
- c. How barriers to stabilizing, retaining or obtaining employment are identified.
- d. What types of support services or cash value assistance will be available; e.g., skill building, mentoring, reemployment services, cash value assistance for car repair.
- e. How determinations will be made that the service or cash value assistance provided meets the program's objective of helping participants retain or stabilize their employment to reduce the likelihood of returning to FIP and enhance their self-sufficiency.
- f. How and when cash value assistance will be provided; e.g., cash payments, vouchers, vendor payments and procedures for issuing payments.
- g. The period of FIP ineligibility for receipt of cash value assistance.
- h. The maximum (and minimum if any) values of payments and support services.
- i. The frequency of receiving assistance.
- j. How families will access the project services. Any forms required to be completed by the family shall be identified by name and form number in the plan.
- k. How families will be informed of the availability of the project services, its voluntary nature, and how the program works, including periods of ineligibility for FIP based on cash value assistance payments.
- l. How written policies and procedures describing the project will be made available.
- m. How inquiries will be responded to and assistance provided timely to prevent the need for candidates to go back on FIP. The local plans shall specify time frames for taking action steps in administering the pilot project.
- n. The functions and responsibilities of the county office and all community entities involved in the operation of the project.

47.67(2) *Other components.* The local plan shall also describe or identify:

- a. How staff will be trained to use the program.
- b. Total funds received and available.
- c. Any allocation for support services.
- d. Any allocation for direct cash payments to families.
- e. Any allocation for vouchers.
- f. Any allocation for vendor payments.
- g. Any allocation for evaluation.
- h. Any allocation for fiscal agent expenses.
- i. Any allocation for other expenses.

47.67(3) Evaluation. Local plans shall include an evaluation plan. Each project shall be willing to cooperate with Mathematica Policy Research in their state-sponsored evaluation. The local plan shall describe:

- a. The methods for evaluation.
- b. The scope of evaluation (e.g., what other programs may be included).
- c. How measurable results will be determined.
- d. The anticipated results for families in the pilot following receipt of support services.
- e. Which aspects of the project were successful and which were not.
- f. Any support needed to conduct an evaluation.

441—47.68(239B) Notification and appeals.

47.68(1) Notification. All candidate households or households participating in the pilot post-FIP diversion program under this division shall receive adequate written notice as described at 441—paragraph 7.7(1) “b,” using Form 470- 0486, Notice of Decision. The written notice shall:

- a. Advise whether assistance under this division shall be provided.
- b. Give the reason for the decision, if assistance shall not be provided.
- c. Give the type, value (if applicable), frequency and duration of assistance as described at rule 441—47.66(239B), if assistance shall be provided.
- d. Give any period of ineligibility for FIP based on the written policies and procedures of the pilot as required by subrule 47.65(6) and described at rule 441—47.67(239B), if assistance shall be provided.
- e. Cite this division as legal authority for the decision.
- f. Advise the household of its appeal rights under 441—Chapter 7 and this division.

47.68(2) Decisions regarding assistance. All decisions regarding assistance available under this division shall be in accordance with the rules in this division and the written policies and procedures of the approved project as required by rule 441—47.67(239B).

47.68(3) Appealable actions. Decisions made by the pilot projects affecting clients may be appealed pursuant to 441—Chapter 7. All sections of the local plan applicable to an appeal shall be provided as part of the appeal summary.

47.68(4) Nonappealable actions. Households shall not be entitled to an appeal hearing if the sole basis for denying, terminating or limiting assistance under this division is that diversion funds for the approved pilot project have been reduced, exhausted, eliminated or otherwise encumbered.

441—47.69(239B) Funding, rates and method of payment.

47.69(1) Funded amounts. The division administrator shall determine the amounts allocated to each approved pilot project based on available funding and the amount requested by each project. The division administrator may reallocate funds between approved pilot projects as necessary to meet the objectives of the program.

47.69(2) Rate setting for services not having a cash value. Rates for post-FIP diversion assistance in the form of support services not having a cash value shall be established in accordance with the following procedures:

- a. Rates for post-FIP diversion assistance support services shall be established on an individual basis by the human services area administrator (HSAA) or designee.
- b. The HSAA or designee shall evaluate proposed payment rates in approving post-FIP diversion assistance support services. Rates approved for providers with a purchase of service contract or Medicaid agreement with the department shall be similar to payment rates for comparable support services provided through the purchase of service or Medicaid agreements. Rates for other types of support services or supports shall be comparable to prevailing community standards.

c. Payment rates approved by an HSAA or designee for post-FIP diversion assistance support services on behalf of a family shall remain in effect for the time period authorized unless approval for modification is granted by the HSAA or designee.

47.69(3) *Payment and billing.* Costs for operating pilot post-FIP diversion projects including, but not limited to, providing post-FIP diversion assistance shall be paid from funds allocated to the project as provided at subrule 47.69(1).

a. Allowable costs include, but are not limited to:

- (1) Support services.
- (2) Cash assistance.
- (3) Administrative costs for fiscal agents with a cap of 5 percent of the allocated funding.
- (4) Contracted operational services.

b. Nonallowable costs include, but are not limited to:

- (1) Administrative costs for the department.
- (2) Cost allocation for existing positions.
- (3) Bonuses or incentives of any kind.

c. Funds may be deposited locally and disbursed through a fiscal agent. Each fiscal agent shall enter into a written funding agreement as described at subrule 47.69(4).

d. Funds may be disbursed through the department's division of fiscal management.

47.69(4) *Written funding agreements.* Each approved pilot project that provides for payment of post-FIP diversion operation costs or assistance at the local level shall enter into a written funding agreement with a third party to act as a fiscal agent to disburse payments. The written funding agreement shall stipulate:

a. The entity responsible for authorizing individual payments.

b. The fiscal agent shall be responsible for issuing payments.

c. The department, the fiscal agent and any other entity responsible for authorizing payments shall keep and reconcile records for accountability and audit purposes.

d. All agreements shall be signed by the fiscal agent and the human services area administrator and any community entity that may be a party to the agreement. Any agreements for \$25,000 or more shall also be signed by the director. Other signatures may be required at the discretion of the division administrator.

e. The time frames for the fiscal agent to process payments.

f. Any other responsibilities of the department, the fiscal agent and any other entity responsible for authorizing payments.

g. Provisions customarily required for agreements or contracts entered into by a state agency.

441—47.70(239B) *Termination of pilot projects.* The division administrator may immediately terminate an approved pilot project if:

1. The project is not fulfilling the conditions of its pilot proposal.
2. The project is at the conclusion of the authorized approval period, unless a request for renewal has been submitted and approved.
3. Funding is reduced, exhausted, eliminated or otherwise encumbered.

441—47.71(239B) Records and reports.

47.71(1) Case records. The provision of post-FIP diversion assistance shall be documented by the department or local community entity in each candidate's appropriate case record.

47.71(2) Records retention. All persons who contract with the county office shall maintain all records related to the program for five years. They shall allow federal or state officials access to all records upon request.

47.71(3) Reports.

a. County offices having approved pilot projects shall provide reports as requested by the division administrator in a manner, format and frequency specified by the administrator.

b. County offices shall be responsible for maintaining records sufficient for audit and tracking purposes.

441—47.72(239B) Renewal of existing approved pilot projects. Contingent on continued authorization and funding, the division administrator may renew existing approved pilot projects. Renewal proposals shall be prepared and submitted within the parameters set forth in the request for renewal issued by the division administrator.

These rules are intended to implement Iowa Code section 239B.11.

[Filed emergency 9/16/97—published 10/8/97, effective 10/1/97]

[Filed 12/10/97, Notice 10/8/97—published 12/31/97, effective 3/1/98]

[Filed 4/15/99, Notice 2/10/99—published 5/5/99, effective 7/1/99]

[Filed 10/11/00, Notice 8/23/00—published 11/1/00, effective 1/1/01]